

**TOWN OF ROCKY HILL
ZONING BOARD OF APPEALS
MEETING OF JANUARY 20, 2015**

1. CALL TO ORDER

Chairman Reilly called the Tuesday, January 20, 2015 meeting to order at 7:00 p.m. in Activity Room 2 of the Rocky Hill Community Center, 761 Old Main Street, Rocky Hill, Connecticut.

Present: James Reilly, Chairman
Joe Coelho, Vice Chairman
Phil Benoit, Secretary
Greg Faulkner
Chris Incarvito
Jason Bates

Absent: William Tangney

Also: Frank Kelley, Zoning Enforcement Officer
Eileen A. Knapp, Recording Secretary

Chairman Reilly went over the procedures for the public hearings and noted that any decision of the Board can be appealed within 15 days of the decision. Secretary Benoit read the legal notice.

2. PUBLIC HEARING

A. Appeal 2015-01, The Town of Rocky Hill, requesting a variance to allow for a height variance for fences from 6' to 8' in height for a secured impound area for police department under Section 7.2.7 of the Rocky Hill Zoning Regulations for property located to the rear of 699 Old Main Street in a R-20 (Residential) Zoning District, ID# 10-045

The Certificate of mailings were received for this application.

Mr. Steve Sopelak, Rocky Hill Town Engineer, 761 Old Main Street addressed the Commission representing the Town. The Town is building an impound yard in between the Police Station and the Rocky Hill Library. Currently the impound yard is located at the Town Garage and it is unlit and has no cameras. There have been incidents of vandalism and people scaling the fence at this location. Security is paramount for vehicles that have been involved in accidents or crimes. The Town needs to have a secure impound yard to secure evidence.

The impound yard being proposed is 22'x60' and will be located in the existing parking lot behind the Police Station. They are asking for an 8' fence with a rolling entry gate. The additional 2' of fencing is for additional security as it would be much harder to scale the higher fence. The fence will

also have privacy slats for privacy and arborvitae on the west side between the police lot and the library lot.

Commissioners Comments/Questions

Commissioner Benoit asked if the two white pines would remain. Mr. Sopelak said it would depend on whether or not the project affects the root system. Commissioner Benoit is hoping the slats provide enough screening.

Commissioner Incarvito asked for an explanation of the flow of traffic into the impound yard, which was explained by Mr. Sopelak. There are currently two boats in back of the Police Station, which are being relocated to another storage area offsite. The parking will increase from 57 to 74 spaces. They are here this evening asking for a variance for the 8' fencing. Regulations allow for a 6' fence.

Public

Mr. Charlie Wisnioski of 670 Old Main Street addressed the Commission. He thinks the storage of boats at this location is against regulations and they should be removed from this site. He is concerned about whether or not the storage of cars in an R20 zone is permitted. He is also worried about the affect this proposal will have on surrounding property values and doesn't think the reasons for the hardship are sufficient to allow for the additional 2' of fencing. Mr. Wisnioski is wondering if the addition of this impound yard would affect the impervious coverage requirements. Mr. Wisnioski said it is untrue that there are no cameras or lighting at the existing impound yard. He asked if there would be lighting within or around the yard. Mr. Sopelak said as of now, no additional lighting is being proposed other than what is already in the parking lot. Mr. Wisnioski feels there are other more appropriate locations for this impound yard. He is afraid that if there isn't enough room in the impound yard, that cars will spill over into the Police parking lot and possibly onto the grass area. Commissioner Benoit noted that many of Mr. Wisnioski's concerns were not in the purview of the Zoning Board of Appeals Commission. These items should be addressed at the Planning and Zoning Commission meeting on January 21st.

Commissioner Incarvito asked why they feel the additional 2' will provide more security. Mr. Sopelak said it is more imposing to try to climb an 8' fence. He feels it would be a bigger deterrent. Chief Custer said another concern is for privacy. They don't want the public taking pictures of vehicles that were involved in fatal accidents then posting those pictures on line. They feel the additional 2' will help prevent that.

Commissioner Bates asked if the location of the impound yard behind the Police Station negates the need for the additional 2' of fencing. Chief Custer said that is possible. Commissioner Incarvito asked if the current impound lot is routinely patrolled. Chief Custer said it is not; there is no around the clock surveillance at this location and that is a major concern.

3. NEW BUSINESS

A. Appeal 2015-1, Town of Rocky Hill, 699 Old Main Street

A MOTION was made by Commissioner Benoit to approve Appeal 2015-1, Town of Rocky Hill, 699 Old Main Street due to the hardship presented. Seconded by Commissioner Incarvito. All were in favor, MOTION CARRIED UNANIMOUSLY.

4. OLD BUSINESS

No discussion.

5. ANY OTHER BUSINESS

A. Discussion of ZBA Checklist

Chairman Reilly put together a Checklist for Applicants to assist them in applying for variances. He asked that Commissioners and Staff look it over and make any suggestions or comments at the next meeting.

The Commission also had in their packets information on the suggested draft regulations for changeable electronic signs as prepared by the Planning and Zoning Commission. Many of the suggestions given by the Zoning Board of Appeals were addressed in these Regulations. This will be added to the March Agenda for discussion. Chairman Reilly asked Mr. Kelley for clarification as to whether or not ZBA is responsible for laying out constraints on LED signs.

A seminar is being held on March 21, 2015 at Wesleyan University on CT Land Use Law for Municipal Land Use Agencies, Boards and Commissioners. Interested Commissioners can sign up with Staff.

Chairman Reilly said he would like to order 3 plaques for former ZBA Commissioners.

B. Review of Zoning Regulations Section 3.4.8 temporary structures

There are new Regulations regarding temporary structures. Mr. Kelley will be starting to enforce these new Regulations now that they are in effect. Vice Chairman Coelho was concerned about several violations at a residence on Main Street. Mr. Kelley said he is aware of it and will look into it.

6. APPROVE WORKING NOTES/ MINUTES – December 16, 2014

A MOTION was made by Chairman Reilly to approve the minutes and working notes of December 10th and 16th with changes. Seconded by Vice Chairman Coelho. All were in favor, MOTION CARRIED UNANIMOUSLY.

7. ADJOURN

A MOTION was made by Commissioner Incarvito to adjourn the meeting at 7:50 p.m. Seconded by Commissioner Benoit. All were in favor, MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Eileen A. Knapp
Recording Secretary